

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

Plaintiffs,

v.

SOUTHWEST AIRLINES CO.,

Defendant.

Civil Action No. 7:24-cv-00277-ADA

JURY TRIAL DEMANDED

**DECLARATION OF JONATHAN K. WALDROP IN SUPPORT OF
PLAINTIFFS' SUPPLEMENTAL BRIEF IN SUPPORT OF ITS OPPOSITION TO
DEFENDANT'S MOTION TO SEVER AND STAY CLAIMS AGAINST IN-FLIGHT
CONNECTIVITY SYSTEMS BASED ON THE CUSTOMER-SUIT EXCEPTION**

I, Jonathan K. Waldrop, declare as follows:

1. I am a Partner with the law firm of Kasowitz Benson Torres LLP. I am one of the attorneys responsible for the representation of Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC (collectively, "Plaintiffs") in this matter and make this declaration in support of Plaintiffs' Supplemental Brief in Support of its Opposition to Defendant's Motion to Sever and Stay Claims Against In-Flight Connectivity Systems Based on the Customer Suit Exception.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Transcript of the March 6, 2025 Discovery Hearing.

3. Attached hereto as Exhibit 2 is a true and correct copy of Defendant Southwest Airlines Co.'s First Supplemental Responses and Objections to Plaintiffs' First Set of Interrogatories Concerning Defendant's Motion to Sever and Stay Claims Against In-Flight Connectivity Systems Based on the Customer-Suit Exception, dated April 29, 2025.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the May 13, 2025 Deposition Transcript of Southwest Airlines Co. (through Christopher Muhich).

5. Attached hereto as Exhibit 4 is a true and correct copy of the Scheduling Order, *Viasat, Inc. v. Intellectual Ventures I LLC and Intellectual Ventures II LLC*, C.A. No. 1:25-cv-00056-CFC (D. Del. May 15, 2025).

6. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt from the Petition for *Inter Partes* Review of U.S. Patent No. 7,324,469, *American Airlines, Inc. and Southwest Airlines Co. v. Intellectual Ventures I LLC and Intellectual Ventures II, LLC*, Case IPR2025-00782, dated April 30, 2025.

7. Attached hereto as Exhibit 6 is a true and correct copy of an excerpt from the Petition for *Inter Partes* Review of U.S. Patent No. 8,027,326, *American Airlines, Inc. and Southwest Airlines Co. v. Intellectual Ventures I LLC*, dated May 24, 2025.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief, formed after reasonable inquiry under the circumstances.

Executed on the 12th day of June, 2025, in Redwood Shores, California.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop